

also be patentable. Under this circumstance, it is not burdensome on the Office to examine these claims together. On the contrary, it will be unnecessarily burdensome on both the applicants and the Office to consider the highly related subject matter in separate patent applications. It is respectfully requested that the restriction requirement on groups II and IV be reconsidered and withdrawn.

Group I, III, V, VI should be examined together with group II

The Office Action asserts that inventions I-III, V, and VI are unrelated (see paragraphs 1, 4, 6-8, 10, and 13 of the Office Action, citing MPEP 806.04 and 808.01). MPEP Section 806.04 (Independent Inventions) requires that the claims be both (1) not disclosed as capable of use together and (2) having different modes of operation, different functions or difference effects. The five groups of inventions are, in fact, disclosed as related.

Group I claim is drawn to polypeptides defined by SEQ ID NO:2 or its variants; Group II claims relate to polynucleotides encoding the polypeptides of the Group I claim; Group III claim is directed at antibodies specific for certain polypeptides of the Group I claim; Group V claim is directed at a method that involves the use of antibodies specific for certain polypeptides of the Group I claim; and Group VI claim is directed at a diagnosing method that involves specific polynucleotide sequences that encode a polypeptide of the Group I claim. These related subject matters are in striking contrast to the exemplary independent inventions of MPEP Section 806.04, namely a process of painting a house and a process of boring a well. MPEP Section 808.01 further points out that the situation under MPEP Section 806.04 is rarely presented since an application seldom contains disclosure of independent things. Here, a clear relation exists among the claims in groups I-III, V, and VI.

For the above reasons, it is respectfully requested that the restriction requirement on groups I-III, V, and VI be reconsidered and withdrawn.

Wherefore examination on the merits is respectfully requested.

No extension of time is believed to be necessary and no fee is believed to be due in connection with this response. However, if any extension of time is required in this or any subsequent response, please consider this to be a petition for the appropriate extension and a request to charge the petition fee to the Deposit Account No. 17-0055. No other fee is believed to be due in

connection with this response. However, if any fee is due in this or any subsequent response, please charge the fee to the same Deposit Account No. 17-0055.

Respectfully submitted,



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